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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: KOPCHICK et al.

Serial No.: 08/488,164

Group Art Unit: ~~To be assigned~~

Filed: June 7, 1995

Examiner: ~~To be assigned~~For: DNA ENCODING GROWTH  
HORMONE ANTAGONISTSAttorney Docket No.:  
7707-015PRELIMINARY AMENDMENTAssistant Commissioner for Patents  
Washington, D.C. 20231RECEIVED  
MAY 30 1996  
GROUP 1800

Sir:

Prior to examination, Applicants request entry of the following amendments and consideration of the remarks below.

IN THE DRAWINGS:

Please amend the drawings as follows:

Please replace original Figures 1 and 3 with new Figures 1 and 3 enclosed herewith. New Figures 1 and 3 have been amended to correct inadvertent typographical errors with respect to the sequence of bovine growth hormone. Applicants also enclose herewith copies of original Figures 1 and 3 indicating the changes in new Figures 1 and 3.

EXPRESS MAIL CERTIFICATION

"Express Mail" label No. EM 074 006 819US

Date of Deposit May 20, 1996

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Michael Vigue

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(Signature of person mailing paper or fee)

PENY3-482712.1

In Figure 1, nucleotide 527, the middle nucleotide in the nucleotide triplet coding for amino acid 176, leucine (L), has been corrected from A to T. Support for this correction is found by reference to the amino acid L (Leucine) which appears immediately below the nucleotide triplet. Furthermore, the amino acid sequence of bovine growth hormone was known in the art prior to Applicants' effective filing date. See Nicoll et al., Endocrine Reviews 7: 169-203, Figure 1, page 173 (1986) (attached as Exhibit A), which indicates that leucine is found at position 176.

Leucine is encoded by "CTG" not "CAG", as shown by Table 3-6, "the Genetic Code", taken from Watson et al., Molecular Biology of the Gene, Fourth Edition, The Benjamin/Cummings Publishing Company, Inc., Menlo Park, California (1987) (attached as Exhibit B). The only leucine codon which has "C" as the first nucleotide and "G" as the last nucleotide has T as the middle nucleotide. [The U's in the mRNA codons of Table 3-6 appear as T's in DNA.] Thus, "CAG" cannot be the correct codon for Leu and "CTG" is the correct codon for Leu.

In Figure 3, amino acid 116 has been changed from "Ley" to "Leu" to correct an obvious typographical error. Also, amino acid 117 has been corrected from "Gly" to "Glu". Support for the correction of amino acid 117 is found in Figure 1 of this application wherein the correct amino acid, Glu (E), at position 117 is shown. See also, Nicoll et al., supra, Figure 1, which shows "Leu" and "Glu" at positions 116 and 117, respectively, of bovine growth hormone.

CONCLUSION

Based on the above remarks, Applicants respectfully request that the above amendments be entered prior to examination of the above-identified application.

Respectfully submitted,

Date May 20, 1996

  
Thomas E. Friebe 29,258  
(Reg. No.)

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Enclosure

Attachments:

Exhibit A: Nicoll et al., 1986, Endocrine Reviews 7:169, 173.

Exhibit B: Table 3-6 from Watson et al., 1987, Molecular Biology of the Gene, 4th Ed, Benjamin/Cummings Pub. Co., Inc., Menlo Park, Ca. (1987)